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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,341	04/12/2004	Brian Vicich	80505.22	3122

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EXAMINER

HAMMOND, BRIGGITTE R

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,341

Applicant(s)

VICICH ET AL.

Examiner

Brigitte R. Hammond

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 11 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-28 and 35-57 is/are rejected.
- 7) ☒ Claim(s) 29-34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/12 and 6/4/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 103 that form the basis for the rejections under this section made in this Office action:

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20-25, 35-37, 39-42, 44, 46-52 and 54-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harwath 5,730,609. Regarding claim 20, Harwath discloses an electrical connector, comprising: a plurality of electrically conducting members 44, 46, 48 a first electrically conducting plate 116; and a second electrically conducting plate 116 positioned opposite to and oriented substantially in parallel with the first electrically conducting plate, wherein a first group 48 of the plurality of electrically conducting members are electrically connected to a respective one of the first and second electrically conducting plates (at 118, 60') and a second group 44, 46 of the plurality of electrically conducting members are not electrically connected to either of the first and second electrically conducting plates; and at least one electrically conducting member of the first group 48 is adjacent to at least one electrically conducting member of the second group 44, 46. Harwath does not disclose at least one of the first group of conducting members is "substantially" identical to one of the second group of conducting members. However, it would have been obvious to one of ordinary skill to change the shape since a change in shape is generally recognized as being within the level of ordinary skill in the art. In re Dailey, 149 USPQ 47 (CCPA 1976).

Regarding claims 21 and 22, the plurality of electrically conducting members are arranged in two rows which are substantially parallel to a respective one of the first and second electrically conducting plates and the first and second groups of electrically conducting members are arranged along each of the two rows.

Regarding claim 23, a first portion of each of the electrically conducting members 44,46,48 is located between the first and second electrically conducting plates and a second portion of each of at least the first group of electrically conducting members is located outside of a respective one of the first and second electrically conducting plates (see fig.8).

Regarding claim 24, each of the first and second electrically conducting plates 116,116 is electrically connectable to a ground potential.

Regarding claim 25, each of the first and second electrically conducting plates 116,116 is electrically connected to a ground potential (via 60').

Regarding claim 35, in the first group 48 of the plurality of electrically conducting members, a portion of each of the first group of the plurality of electrically conducting members is in physical contact with a portion of the respective one of the first and second electrically conducting plates (at 60',118).

Regarding claim 36, the electrically conducting members are adapted to be coupled to the surface of a printed circuit board 12.

Regarding claim 37, the second group 44,46 of electrically conducting members which are not electrically connected to either of the at least electrically conductive plates are arranged to transmit signals through the connector.

Regarding claim 39, the connector further comprising an insulated housing 16, wherein the first and second electrically conductive plates 116, 116 are disposed on opposite outer surfaces of the insulated housing.

Regarding claim 40, the first group 48 of electrically conducting members are electrically connected to the respective one of the first and second electrically conductive plates 116 at an outer surface of the insulated housing.

Regarding claim 41, Harwath discloses a plurality of electrically conducting members 44,46,48 arranged along a row; at least one electrically conducting plate 116 disposed substantially parallel to the row of electrically conducting members; and a plurality of connection portions 118 arranged so as to electrically connect the at least one electrically conducting plate 116 to a first group 48 of the plurality of electrically conducting members, and a second group 44,46 of the plurality of electrically conducting members not being electrically connected to the at least one electrically conducting plate. Harwath does not disclose at least one of the first group of conducting members is "substantially" identical to one of the second group of conducting members. However, it would have been obvious to one of ordinary skill to change the shape since a change in shape is generally recognized as being within the level of ordinary skill in the art. *In re Dailey*, 149 USPQ 47 (CCPA 1976).

Regarding claim 42, the plurality of connection portions 118 (each end of each side of 116) that electrically connect the at least one electrically conducting plate 116 to the first group 48 of the plurality of electrically conducting members are arranged to be in physical contact with each of the at least one electrically conducting plate 116 and the first group of the plurality of electrically conducting members.

Regarding claim 44, at least one electrically conducting member of the first group 48 is adjacent to at least one electrically conducting member of the second group 46.

Regarding claim 46, further comprising another electrically conducting plate 116, wherein the plurality of electrically conducting members are arranged in two rows which are substantially parallel to a respective one of the electrically conducting plates 116.

Regarding claim 47, wherein a first portion of each of the electrically conducting members is located between the two electrically conducting plates 116 and a second portion (not numbered, tail portion) of at least the first group 48 of electrically conducting members is located outside of a respective one of the first and second electrically conducting plates.

Regarding claim 48, each of the electrically conducting plates 116,116 is electrically connectable to a ground potential.

Regarding claim 49, each of the electrically conducting plates 116,116 is electrically connected to a ground potential (via 60').

Regarding claim 50, the plurality of connection portions 118 are part of the at least one electrically conducting plate 116.

Regarding claim 54, the electrically conducting members are adapted to be coupled to the surface of a printed circuit board 12.

Regarding claim 55, the second group 44,46 of electrically conducting members which are not electrically connected to either of the at least electrically conductive plates are arranged to transmit signals through the connector.

Regarding claim 56, further comprising an insulated housing 16, wherein the at least one conductive plate 116 is disposed on an outer surface of the insulated housing.

Regarding claim 57, the first group 48 of electrically conducting members are electrically connected to the at least one electrically conductive plate 116 at an outer surface of the insulated housing.

Claims 41,42 and 50-57 are rejected under 35 U.S.C. 102(are) as being anticipated by Korsunsky et al. 6,039,583.

Regarding claim 41, Korsunsky discloses a plurality of electrically conducting members 50 arranged along a row; at least one electrically conducting plate 60 disposed substantially parallel to the row of electrically conducting members; and a plurality of connection portions 88 arranged so as to electrically connect the at least one electrically conducting plate 60 to a first group 50 of the plurality of electrically conducting members, and a second group 50 (those not selected) of the plurality of electrically conducting members not being electrically connected to the at least one electrically conducting plate.

Regarding claim 42, the plurality of connection portions 88 that electrically connect the at least one electrically conducting plate 60 to the first group 50 of the plurality of electrically conducting members are arranged to be in physical contact with each of the at least one electrically conducting plate 60 and the first group of the plurality of electrically conducting members.

Regarding claim 50, the plurality of connection portions 88 are part of the at least one electrically conducting plate 60.

Regarding claim 51, the plurality of connection portions 88 that electrically connect the at least one electrically conducting plate 60 to the first group of electrically conducting members are bent towards (col. 4, line 58) the plurality of electrically conducting members to make electrical contact with a ground potential.

Regarding claim 52, the plurality of connection portions 88 are adapted to be selectively bent inwardly towards the plurality of electrically conducting members (col. 4, line 58).

Regarding claim 53, the plurality of connection portions can be selectively bent away from the at least one electrically conducting plate to produce a customized pattern of grounded electrical contacts (see abstract).

Regarding claim 54, the electrically conducting members are adapted to be coupled to the surface of a printed circuit board.

Regarding claim 55 (as best understood), the second group of electrically conducting members which are not electrically connected to the at least one electrically conductive plate could be signal contacts arranged to transmit signals through the connector (col. 4 lines 64-67).

Regarding claim 56, further comprising an insulated housing 20, wherein the at least one conductive plate 60 is disposed on an outer surface of the insulated housing (see fig. 1).

Regarding claim 57, the first group 50 of electrically conducting members are electrically connected to the at least one electrically conductive plate 60 at an outer surface of the insulated housing.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 26-28, 38, 43 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harwath in view of Korsunsky et al. 6,039,583. Regarding claims 26 and 38, Harwath discloses the invention substantially as claimed. Harwath discloses the connection portions as a skirt 118 arranged to make electrical contact between the first group of contacts and the at least one electrically conductive plate. Harwath does not disclose the skirt having a plurality of fingers/connections. However, Korsunsky et al. disclose a plurality of fingers 88 arranged to make electrical contact between a first group of conducting members 50 and an electrically conductive plate 60. It would have been obvious to one of ordinary skill to modify the connector of Harwath by providing a plurality of fingers on the plate/skirt as taught by Korsunsky to allow for individual contact.

Regarding claims 27, 28 and 43, the plurality of fingers 88 of Korsunsky et al. are disposed along an outer surface of the electrically conducting plate 60 and are part of the conducting plate.

Regarding claim 45, the plurality of fingers/connections 88 of Korsunsky et al. are in a row substantially parallel to the conducting members.

Allowable Subject Matter

Claims 29-34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: regarding claim 29, patentability resides, at least in part, in the plurality of fingers including first and second plurality of fingers, the first plurality of fingers being arranged to make electrical contact between the first group of the plurality of electrically conducting members and the respective one of the first and second electrically conducting plates, and the second plurality of fingers being arranged so as not to make electrical contact between the first group of the plurality of electrically conducting members and the respective one of the first and second electrical conducting plates, in combination with the other limitations of the base claim.

Response to Arguments

Applicant's arguments have been fully considered but they are not persuasive. In response to applicant's arguments that once the ground plane 60 has been assembled with the insulative housing 20, it is impossible to modify the ground plane 60. The Examiner disagrees. On the contrary, Korsunsky disclose that the ground plane can be configured without any modification to the housing and can be easily adjusted (col. 5, lines 7-13).

Conclusion

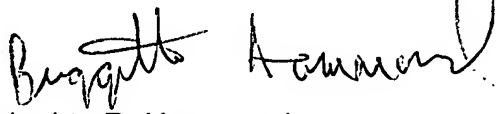
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brigitte R. Hammond whose telephone number is 571-272-2006. The examiner can normally be reached on Mon.-Thurs. and Alternate Fridays from 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Brigitte R. Hammond
Primary Examiner
Art Unit 2833

July 9, 2005